IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

COMPANY PETITION NO.580 OF 1978

V.N. Dye Chem ..Petitioner.
Vs.
Phoenix Mills Ltd. ..Respondent.

WITH
COMPANY PETITION NO.385 of 1980

India Bibre Bag Mfg. Co. ..Petitioner.
Vs.
Phoenix Mills Ltd. ..Respondent.

....

None for the Petitioners.
Ms. Dipti Raja i/b Dhru & Co. for the Respondent.

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CORAM: **DR. D.Y. CHANDRACHUD, J.**

4th April, 2007.

P.C. :

The Petitions have been placed for directions before the Court. The Company Registrar has informed the Court that the proceedings are not traceable and in all probabilities the parties have lost interest in pursuing the proceedings. Counsel appearing for the Respondent is present. In these circumstances, it would be

appropriate to pass the following order :

i) The Company Petitions are dismissed for want of prosecution;

ii) In the event that any of the Petitioners are interested in pursuing the proceedings arising out of the Company Petitions, the learned advocates concerned shall within a period of two weeks inform the Company Registrar and take steps within a period of four weeks thereafter for reconstructing the record. In that event, the Company Registrar shall place the Petitions before the Court for further directions;

iii) In the event that the Respondent company has already been wound up, the Petitioners would be at liberty to pursue their claims in liquidation.